

Town of East Hampton
Zoning Board of Appeals
300 Pantigo Road, East Hampton, NY 11937



APPROVED MINUTES OF MEETING

Date: March 15th 2016
Time Started: 6:30 p.m.

Members Present:

John P. Whelan, Chairman
Cate Rogers, Vice Chair
David Lys, Member
Lee White, Member
Roy Dalene, Member

Also Present:

Denise Savarese, Legislative Secretary
Elizabeth Baldwin, Counsel to the Board

Public Hearing:

6:30 PM – Applicant: Carter Burwell – SCTM# 179-1-10 – 39 Marine Blvd., Amagansett – Project description is to construct a 971 sq. ft. one story addition, a 597 sq. ft. detached accessory structure, and upgrade the sanitary system on a parcel of land with bluff and beaches. Chairman Whelan read the Notice of Public Hearing into the record. Counsel Baldwin noted the Affidavit of Service and Posting was in order. Member Lys conducted a field inspection and reported his findings to the Board.

Richard Whalen, Attorney, appeared on behalf of the applicant, noted that Mr. Burwell is a year round resident – the space is needed for his family and the applicant works out of his home. There are no variances only a Natural Resources Special Permit is required. Willing to provide a Planting Plan and the net increase in the floor area will only be 793 sq. ft. – the detached accessory structure is not an Artist's Studio.

Maziar Behrooz, Architect, addressed the height of the wall; noted he is open to berming the retaining wall with earth.

Christine Sciulli, wife of Applicant, addressed the beach path, walkway, beach grass re-vegetation, septic system on the north side, removing the garden on the dune crest.

Carter Burwell, Applicant, addressed the Board noting he and his family moved here 6 years ago and they don't have a bedroom for their third child and he noted the detached accessory structure is needed for his work.

Lisa D'Andrea, appearing on behalf of the Planning Department, noted that this remains an aggressive development in an environmentally sensitive area. Also addressed was the illegal garden on the dune crest which is irrigated. Ms. D'Andrea gave the Planning Department Analysis, including project conditions and recommendations for the Board consideration.

Jim Grimes, Town Trustee, was satisfied to see that the Board will take care of the violations surrounding the vegetable garden. The Trustees only issue is encroachment on the dunes.

Member Lys made a motion to close the Public Hearing, but left the record open for one month for a Revegetation Plan, Driveway, Wall Height, Specifications and an accurate survey. Member White seconded. All members were in favor.

Public Hearing:

6:50 PM – Applicant: RCS Properties – SCTM# 300-123-3-7.2 – 62 Muir Boulevard, Amagansett – Project description is to allow an existing 1344 sq. ft. trailer to remain within side yard lot lines setbacks and to allow total lot coverage to remain 24,792 sq. ft. Chairman Whelan read the Notice of Public Hearing into the record. Counsel Baldwin noted the Affidavit of Service and Posting was in order. Member Dalene conducted a field inspection and reported his findings to the Board.

Richard Whalen, Attorney, appeared on behalf of the applicant, submitted a photo of the trailer into the record. It was noted that in 2007 Donald Sharkey the then Chief Building Inspector gave the applicant permission to do this without Site Plan Approval. Mr. Whalen submitted a letter from Jay LaMonda into the record.

Richard Sperber, owner of RCS Properties, reiterated the same information noting that Mr. Sharkey felt that because it was not a permanent structure it would be permitted. Plumbing is in the structure.

Jay LaMonda, neighbor, had no objection if trailer is legalized he just expressed concern about the applicant having the ability to add a story making the structure higher.

James Duryea, speaking on behalf of the Planning Department, gave analysis, including project conditions and recommendations for the Board consideration.

Member Dalene made a motion to close the Public Hearing. Vice Chair Rogers seconded. All members were in favor.

7:10 PM – Applicant: Edward Weissberg – SCTM# 300-177-1-10 – 48 Beach Avenue, Amagansett – Project description is to demolish the existing residence and associated structures and to construct a new 1,805 sq. ft. two story residence with new sanitary system, 178 sq. ft. porch, 523 sq. ft. of decks and stairs, a 25 sq. ft. shed, 27 sq. ft. outdoor shower, and new driveway within minimum setbacks of freshwater wetlands. Chairman Whelan read the Notice of Public Hearing into the record. Counsel Baldwin noted the Affidavit of Service and Posting was in order. Member Lys conducted a field inspection and reported his findings to the Board.

Britton Bistran, Agent, for the applicant, noted that the improvement to the neighborhood will be significant. Gave the Board a history of the property. The applicant is not asking for additional bedrooms. They do have a more compact footprint and are trying to be sensitive to the property. The septic system will meet Health Department standards, the house is being raised to meet FEMA and lot coverage is being reduced by 20%. The beach cottage design keeps the integrity of the area and the applicant has agreed to all mitigation.

Tyler Borsack, appearing on behalf of the Planning Department, gave analysis, including project conditions and recommendations for the Board consideration

Michelle Hugo, Architect, addressed concerns and questions the Board had. Ms. Hugo will provide the Board with a letter from the Property Association.

Member Lys made a motion to close the Public Hearing. Member White seconded. All members were in favor.

Work Session:

Possible Administrative Application:

Gaetano and Allison Lupo – 2 Harbor Blvd., Springs – SCTM# 300-38-3-16 – CPF property – NRSP for Demolition – Vice Chair Rogers made a motion to approve the application going Administratively. Member Dalene seconded. All members were in favor.

Modification Requests:

John Senior – 200 Cranberry Hold Road, Amagansett – SCTM#300-152-1-10
Member Lys made a motion to approve Modification request. Member White seconded. All members were in favor.

Carol Buchwald – 37 Milina Drive, East Hampton – SCTM# 300-35-4-1.1 – Member Dalene made a motion to approve Modification request. Vice Chair Rogers seconded. All members were in favor.

R & J East Lake Properties – East Lake Drive, Montauk – SCTM# 300-6-2-16 & 25
Member White made a motion to approve Modification request. Member Lys seconded. All members were in favor.

Tabled Modification Requests:

Sean MacPherson – 15 Miller Avenue, Montauk – SCTM# 300-32-7-31

John C and Gwen Jones – 3 South Lake Drive, Montauk – SCTM# 300-32-3-14

Board Decisions:

Lucy Sachs – SCTM# 300-128-1-7.2 – 277 Cranberry Hole Road, Amagansett –
Project description is to construct a 576 sq. ft. swimming pool with 252 sq. ft. of decking within side yard lot line setbacks and clear approximately 1,778 sq. ft. of vegetation on a parcel of land containing tidal wetlands, dune crest, freshwater wetlands and beach vegetation. Member Lys made a motion to approve the application. Member White seconded. Vice Chair Rogers and Member Roy Dalene were in favor. Chairman Whelan dissented.

Minutes:

Member Lys made a motion to approve the Minutes of March 1st 2016 and March 8th 2016. Member White seconded. All members were in favor.

Resolutions Signed:

Max Herrnstein – SCTM# 300-63-3-12 – Vice Chair Rogers made a motion to approve the Determination as written. Member Dalene seconded. All members were in favor.

Frederico Chiesa – SCTM# 300-124-6-2.5 – Vice Chair Rogers made a motion to approve the Determination as written. Member White seconded. All members were in favor.

Erwin Weiser & Miho Ishii – SCTM# 300-24-2-36 – Vice Chair Rogers made a motion to approve the Determination as written. Member Dalene seconded. All members were in favor.

Adjourn:

Member Lys made a motion to adjourn. Member White seconded. All members were in favor.

John P. Whelan, Chairman
Zoning Board of Appeals